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By CM/ECF

January 31, 2025

The Honorable Denise Cote
United States District Court for the
Southern District of New York
500 Pearl Street, Room 1910
New York, NY 10007

Re: *Hernandez v. Zenlen, Inc.*, No. 1:24-cv-04846-DLC (S.D.N.Y.)

Dear Judge Cote:

Pursuant to Rule 8(B) of Your Honor's Individual Rules and Practices, Defendant Zenlen, Inc. ("Zenlen"), respectfully seeks leave to file under seal the redacted a clinical testing report referenced in paragraph 24 of the Plaintiff's Amended Complaint (ECF No. 31) and appended to the Declaration of Andrew Leff as Exhibit A. As required under Rule 8(B), Exhibit A has been contemporaneously filed on ECF under seal and electronically related to this motion.

Zenlen submits this letter motion because good cause exists to file under seal Exhibit A, which contains proprietary, commercially sensitive, and highly confidential business information. Disclosure of the highly confidential clinical testing protocols and methodology contained in Exhibit A would harm Zenlen's business interests and put Zenlen at a competitive disadvantage. *See, e.g., Kewazinga Corp. v. Microsoft Corp.*, 2021 WL 1222122, at *6 (S.D.N.Y. Mar. 31, 2021) ("Examples of commonly sealed documents include those containing ... confidential research and development information[.]"); *In re Zimmer M/L Taper Hip Prosthesis*, 2021 WL 4706199, at *4 (S.D.N.Y. Oct. 8, 2021) (granting motion to seal documents describing "internal testing, test results, and product specifications" as containing "proprietary business information"). Zenlen has produced this information to Plaintiff's counsel pursuant to a signed non-disclosure agreement, whereby Plaintiff has agreed to hold the information as confidential and not disclose it to any third party.

To the extent the Court has any concerns about filing Exhibit A under seal, Zenlen respectfully requests an opportunity to provide additional information.

Accordingly, Zenlen respectfully requests that the Court grant this letter motion to file Exhibit A under seal.

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Respectfully submitted,

/s/ Andrew Soukup

Andrew Soukup

cc: All counsel of record (via CM/ECF)